In the High Court of Punjab and Haryana at Chandigarh

C.R. No.4752 of 2006
Date of decision:8-9-2006

Haryana Urban Development Authority and another. .....Petitioners

Versus

Ranbir Singh .....Respondent

CORAM: Hon'ble Mr.Justice Vinod K.Sharma

Present: Sanjay S.Chauhan, Advocate, for the petitioners.

VINOD K.SHARMA,J. (ORAL)

By way of present revision petition, the petitioners have challenged the order dated 10-07-2006 (Annexure P-6) passed by the learned Civil Judge (Junior Division), Gurgaon, vide which non-bailable warrants have been issued to the Administrator, HUDA, for appearance in Court.

The decree-holders had earlier come to this court by way of Civil Writ Petition No. 530 of 1987 which was dismissed by this Court with a direction that the Haryana Urban Development Authority (for short "HUDA") may consider allotment of alternative plots to them at the reserved price, if as per any scheme framed by it pertaining to the land acquired under the said notification, such course could be permissible. HUDA in pursuance to the said order rejected the claim of the decree-holders and resultantly they had to file a civil suit, which was decreed on 31-3-2003. The respondent herein filed an execution application. In the execution application, as the petitioners were not being represented, non-bailable warrants have been issued for securing the presence of Administrator, HUDA in Court.

Learned counsel for the petitioners contends that in order to comply with

the order passed by this Court, letter (Annexure P-5) was written, which reads as under:-

> "your against requested to submit the all relevant paper and correspondence with HUDA in connection with cited matter to this office immediately so that your case may put up before screening committee."

The reading of the said communication clearly shows that no steps were taken honesty by the petitioners to comply with the order passed by this Court. There is no ground to interfere in the order of the Court below for issuance of non-bailable warrants against the petitioners as it was within the jurisdiction of the Court to call for a party through non-bailable warrants if it fails to appear before the Court by other process of service.

Dismissed.

08-9-2006,
'dls'

(VINOD K.SHARMA)
JUDGE